

## **REMARKS**

### **Amendments**

#### ***Amendments to the Claims***

Applicant has amended the claims to more particularly point out what Applicant regards as the invention. In particular, Applicant claims a separate computer routing encoded data from a server to a storage system that stores the data. No new matter has been added as a result of these amendments.

### **Objections**

#### ***Objections to the Specification under 35 U.S.C. § 112, first paragraph***

The Examiner objected to the specification because the specification lacks adequate description of “what a digital content connection is and how it differs from a digital connection.” However, Applicant respectfully submits that the specification adequately describes a digital content connection and a digital connection. The specification shows, for example, that digital connection 215 comprises a digital content connection 405 and a digital control connection 407 (Specification, Figures 2, 4, paragraphs 0021, 0028). The specification recites that, “computer system 210 transmits data, for example audio/video data, along a *digital content connection* 405 within *digital connection* 215” (emphasis added)(Specification, paragraph 0028). Therefore, Applicant respectfully requests that the Examiner withdraw the objection to the specification.

### **Rejections**

#### ***Rejections under 35 U.S.C. § 102(e)***

#### **Claims 1, 3, 4, 6-22, 24, 25, 27-43, 45, 46, 48-64, 66, 67, 69-77**

Claims 1, 3, 4, 6-22, 24, 25, 27-43, 45, 46, 48-64, 66, 67, 69-77 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Lewis, U.S. Patent Application Publication No. 2005/0144641. Applicant does not admit that Lewis is prior art and reserves the right to swear behind the reference at a later date. Nonetheless, Applicant

respectfully submits that Applicant's invention as claimed in claims 1, 3, 4, 6-22, 24, 25, 27-43, 45, 46, 48-64, 66, 67, 69-77 is not anticipated by Lewis.

Lewis discloses transmitting multimedia data from a remote server to a local set top box. The set top box controls the downloading of the multimedia data from the central server via the Internet. In addition, the set top box includes a storage module to store the multimedia data.

Independent claims 1, 22, 43, and 64, as amended, recite a separate computer routing encoded data from a server to a storage system that stores the data. In contrast, Lewis discloses a single set top box that controls the download and storing of the multimedia data. Thus, Lewis does not teach or suggest a separate control computer and storage system as claimed. Therefore, Applicant respectfully submits that Lewis does not anticipate claims 1, 22, 43, and 64 and claims 3, 4, 6-21, 24, 25, 27-42, 45, 46, 48-64, 66, 67, and 69-77 that depend on them. Accordingly, Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 102(e).

### ***Rejections under 35 U.S.C. § 103***

#### **Claims 5, 26, 47, and 68**

Claims 5, 26, 47, and 68 stand rejected under 35 U.S.C. § 103(a) as being obvious over Lewis and Examiner's Official Notice. In particular, the Examiner admits that Lewis does not disclose a Universal Serial Bus connection.

Claims 5, 26, 47, and 68 depend on independent claims 1, 22, 43, and 64, respectively. Independent claims 1, 22, 43, and 64, as amended, recites a separate computer routing encoded data from a server to a storage system that stores the data. As per above, Lewis does not teach or suggest the disclosed element. Furthermore, as the Examiner's Official Notice is only directed towards a Universal Serial Bus connection, the Official Notice cannot teach or suggest a separate control computer and storage system as claimed. Therefore, the combination cannot render obvious claims 1, 22, 43, and 64 and claims 5, 26, 47, and 68 that depend on them. Accordingly, Applicant respectfully requests the withdrawal of the rejection of the claim under 35 U.S.C. § 103(a) over the combination of Lewis and the Examiner's position regarding a Universal Serial Bus connection.

### **SUMMARY**

Claims 1, 3-22, 24-43, 45-64, and 66-77 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Eric Replogle at (408) 720-8300.

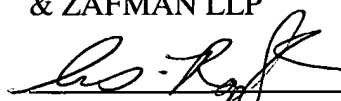
### **Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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